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January 23, 2002

Greetings,

Subject: U.S. vs. Microsoft

In regards to the ruling of the anti-trust case against Microsoft and the proposed settlement I have several thoughts and comments I would like to share. First of all I am pleased to see that Microsoft was found to have a monopoly. I am, however, not pleased with the proposed settlement. I am not pleased because although on the surface it seems like a good solution underneath it is lacking. I have read a great deal of other opinions regarding what should really be done. In my opinion breaking up the company or forcing them to disclose their intellectual property regarding file formats or the API is not the answer. The best thing I can think of is to use the laws that are already on the books, perhaps with some modification, to empower the end user. To put it simply the end user needs to have real choices. The first example that comes to mind is the analogy of ordering a pizza. Let's suppose for a minute that you do not care for anchovies on your pizza. On a Friday night you are working late in your office and you pick up the phone to order a pizza. You select the toppings you want but when the person on the other end of the line reads those choices back to you they add anchovies to the list. You remind them you did not ask to have anchovies put on your pizza. The friendly voice replies that although you do not wish to have anchovies put on your pizza they must be included because the company that supplies anchovies requires that they are included with every pizza. Then you are told that even if they do not include the anchovies you will still be charged for them. I am quite certain you would find this situation unacceptable. Now let's put this into the perspective of the computer industry. I recently purchased a new Dell laptop. My operating system of choice is Linux for various reasons. When I contacted Dell to order the computer I was told I had to purchase a version of Microsoft Windows as well as a Microsoft Office suite with the laptop. I did not argue because I understood the reason behind it. This is the reason something needs to be done about the power Microsoft has over the OEMs. My chosen profession is in the computer industry, I will not even begin to pretend to know anything about the laws in the various states or of this great nation. However, I believe this kind of business practice can be classified as racketeering. Even if I am wrong on this count this practice has to be stopped. I believe the only true settlement is to simply stop Microsoft from forcing OEMs to bundle their products in order to get the OEM licensing. As a small time programmer it would be nice to have free access to the MS Office file formats and the programming API for Windows itself but this choice should be left up to the Mi-

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Microsoft Corporation, not the government. If a legal precedent such as this is set now who is to say that in a few years Pepsico isn't going to accuse Coca Cola of having a monopoly. If this were to happen and they were indeed found to have a monopoly who is to say the settlement wouldn't include Coca Cola disclosing their secret formula? In closing, my opinion is that the playing field needs to be leveled. Give the consumer a choice as to whether they want Linux or Windows, Microsoft Office or Lotus SmartSuite. Let the consumer decide who will dominate the computer market. I may be completely wrong but I feel that if the OEMs such as Gateway, Dell and Compaq are allowed to decide for themselves how they want to sell their products a settlement will be found on its own with little or no government intervention.

Sincerely,



Greg ABur
Secretary/Treasurer